



## TRANSMITTAL FORM

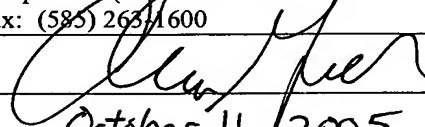
(to be used for all correspondence after initial filing)

		Application Number	10/724,682
		Filing Date	December 1, 2003
		First Named Inventor	Fagan et al.
		Group Art Unit	3673
		Examiner Name	Jong-Suk Lee
Total Number of Pages in This Submission	2	Attorney Docket Number	37372/12 (Formerly 201853/12)

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply (\$_____) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (\$_____) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$_____) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/ Incomplete Application (\$_____) <input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$_____) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$_____) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Notice of Appeal and Request for Three-Month Extension of Time) (\$760) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Check in the amount of \$760.00 <input type="checkbox"/> Other Enclosure(s) (please identify below):		
<table border="1"> <tr> <td>Remarks</td> <td> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.         </td> </tr> </table>			Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.			

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Andrew K. Gonsalves Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1658 Fax: (585) 263-1600
Signature	 Registration No. 48,145
Date	October 11, 2005

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_.

10/11/05  
Date



Signature

Laura L. Trost

Typed or printed name



*AF*  
*JFW*  
PATENT

Docket No.: 37372/12 (Formerly 201853/12)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Fagan et al.	)	Examiner:	
Serial No.	:	10/724,682	)	Jong-Suk Lee	
Cnfrm. No.	:	2363	)	Art Unit:	
Filed	:	December 1, 2003	)	3673	
For	:	METHOD OF TREATING MUNICIPAL SOLID WASTE	)		
			)		

10/14/2005 EFLORES 00000045 10724682

01 FC:2401

250.00 OP

**NOTICE OF APPEAL  
AND  
REQUEST FOR THREE-MONTH EXTENSION OF TIME**

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated April 11, 2005, finally rejecting claim 8.

Applicants hereby request an extension of time of three months from the due date of July 11, 2005.

Enclosed is a check in the amount of \$760, which covers the \$250 cost of the appeal fee and the \$510 cost of the extension of time. Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

10/14/2005 EFLORES 00000045 10724682

02 FC:2253

510.00 OP

Dated: October 11, 2005

Respectfully submitted,

  
Andrew K. Gonsalves  
Registration No. 48,145

NIXON PEABODY LLP  
Clinton Square, P. O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1658  
Facsimile: (585) 263-1600

R882712.1

**Certificate of Mailing - 37 CFR 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, on the date below.

10/11/05

Date



Laura L. Trost